

REMARKS

Amendments

Claim 1 is amended to recite in the second proviso clause that X is neither unsubstituted 1,4-phenylene nor unsubstituted 1,4-naphthalene. See the prior version of the proviso clause and subformula IIb. Claim 2 is similarly amended and is also amended to delete superfluous language. Claim 4 is amended to delete superfluous language in light of the definitions in claim 2, from which claim depends. Claim 11 is also amended to delete superfluous language, and claims 29-30 are cancelled.

New claim 40 is defines X as being selected from certain subformulas. See, e.g., claim 11. New claim 41 is similar to claim 4, but is dependent on claim 1. See, e.g., original claim 4.

Withdrawn Claims

Applicants note that claims 8, 9, 12-23, 27, 28, 31, 32 and 35-38 still remain withdrawn from consideration. However, applicants again request reconsideration of the status of these claims.

Claim 13, drawn to polymers, was withdrawn from consideration in the Office Action of October 11, 2005, although no explanation was provided. Formula Ia, as recited in claim 13, reads on the elected species and therefore should be included in the scope of examination. Claims 18, 20-23, 27, and 28 which are dependent on claim 13 should also be included in the scope of examination. Also, claim 36, which is dependent on claim 13 and refers to formula Ia reads on the elected species and should be included in the scope of examination.

In the Advisory Action of February 26, 2007, it is stated that claim 13 is a compound claim, not a device claim. However, neither the Office Action November 14, 2006, nor the Advisory Action provides any rationale as to why the subcombination of the polymer should be restricted from the combination of the device. Furthermore, no reasoning is presented in the Office Action or Advisory Action as to why device claim 18 should be restricted from the other device claims.

With respect to claims 14-17, the Office Action of October 11, 2005 states that these claims are withdrawn because they require at least one polymerizable group and therefore do not read on the elected species. It is correct that claim 14 recites a polymerizable material.

However, claim 15 recites a film obtainable from a polymerizable liquid crystal material according to claim 14 and claim 16 a side chain liquid crystal polymer obtained by polymerization of one or more mono- or oligomers or polymerizable material as defined in claim 14 or by grafting same. Thus, claims 15 and 16 should also be included in the scope of examination.

Reconsideration is again respectfully requested.

Rejection under 35 USC §112, second paragraph

Claim 1 is said to be indefinite due to the language of the second proviso. Claim 1 is amended to eliminate objected to language. Withdrawal of the rejection is respectfully requested.

Rejection under 35 USC §103(a) in view of Jen et al.

Claims 1-3, 5-7, 24-26, and 33 are rejected as allegedly being obvious in view of the Jen et al. (US 5,159,040). This rejection is respectfully traversed.

Jen et al. disclose a very broad genus of poly(heterocyclic vinylenes). See Formulas I-VII at columns 3-4. In particular, the rejection refers to Examples 12-14 which disclose 3-methoxythiophene, 1,2-bis(3-methoxy-2-thienyl) ethylene, and poly(3-methoxy-2,5-thienylene vinylene), respectfully. The compound of Example 12 exhibits only one thienyl group. The compound of Example 13 exhibits two thienyl groups attached by an ethylene, -CH₂-CH₂-, group. Finally, the compound of example exhibits two thienyl groups attached by a vinylene, -CH₂-CH₂-, group.

These compounds do not suggest the compounds according to applicants' claim 1. Withdrawal of the rejection is respectfully requested.

Rejection under 35 USC §103(a) in view of Ng et al.

Claims 1-7, 10, 11, 24-26, 29, 30, 33, and 34 are rejected as allegedly being obvious in view of the Ng et al. (CAPLUS 1998:44686). This rejection is respectfully traversed.

The abstract by Ng et al. discloses three homopolymers, i.e., 1,4-bis(3-butyl-2-

thienyl)phenylene homopolymer, 1,4-bis(3-octyl-2-thienyl)phenylene homopolymer, and ,4-bis(3-dodecyl-2-thienyl)phenylene homopolymer. Each of these polymers exhibiting a repeating group in which two thienyl rings are attached via a 1,4-phenylene ring.

Such compounds do not suggest the compounds according to applicants' claim 1. See the second proviso clause of claim 1. Withdrawal of the rejection is respectfully requested.

Rejection under 35 USC §103(a) in view of Wang et al.

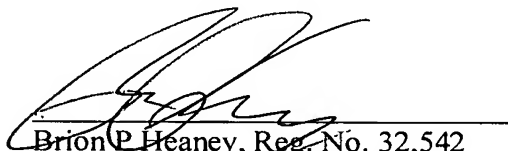
Claims 1-7, 10, 11, 24-26, 29, 30, 33, and 34 are rejected as allegedly being obvious in view of the Wang et al. (CAPLUS 2002:786148). This rejection is respectfully traversed.

The abstract by Wang et al. disclose 1,4-naphthalene-based copolymers. Specifically, 2,2'-(1,4-naphthalenediyl)bis(3-octyl-thiophene) and the homopolymer thereof are disclosed.

Such compounds do not suggest the compounds according to applicants' claim 1. See the second proviso clause of claim 1. Withdrawal of the rejection is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,


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